

REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-9 are currently pending. Claims 1 and 3 have been amended by the present amendment. The changes to the claims are supported by the originally filed specification and do not add new matter.

In the outstanding Office Action, Claims 1-6 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. D374,236 to Grewe et al. (hereinafter “the ‘236 patent”) in view of U.S. Patent No. 6,681,276 to Jeong et al. (hereinafter “the ‘276 patent”); Claims 7-9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the ‘236 and ‘276 patents, further in view of U.S. Patent No. 5,933,328 to Wallace et al. (hereinafter “the ‘328 patent”); and Claims 1-3 and 5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,563,400 to Le Roux (hereinafter “the ‘400 patent”) in view of the ‘236 patent.

Amended Claim 1 is directed to a memory card drive, comprising: (1) a memory card body configured to be inserted into a memory card drive slot of a personal computer and to connect to an external interface of the personal computer; (2) a memory card interface configured to allow the memory card drive to send and receive digital information to and from the personal computer; (3) a plurality of memory card slots provided in the memory card drive body oriented in a planar array to accept a plurality of memory cards in the same loading orientation; and (4) a plurality of indicator LEDs corresponding to the plurality of memory card slots. The changes to Claim 1 are supported by the originally filed specification and do not add new matter.¹

¹ See, e.g., Figures 1 and 2 and the discussion related thereto in the specification.

Regarding the rejection of Claim 1 under 35 U.S.C. § 103, the '236 patent is a design patent claiming an ornamental design for a combined multiple memory card reader and player as shown in the figures of the '236 patent. Thus, the '236 patent merely shows a rectangular memory card reader. However, Applicants respectfully submit that the '236 patent fails to disclose a memory card drive body configured to be inserted into a memory card drive slot of a personal computer and to connect to an external interface of the personal computer after insertion, as recited in amended Claim 1. Moreover, Applicants respectfully submit that the '236 patent fails to disclose a memory interface configured to allow the memory card drive to send and receive digital information to and from the personal computer, as recited in Claim 1. The '236 patent fails to mention a personal computer. Further, Applicants respectfully submit that the '236 patent fails to disclose a plurality of indicator LEDs corresponding to the plurality of memory card slots, as recited in amended Claim 1.

The '276 patent is directed to an audio player having a cassette unit and a memory card playing unit. As shown in Figure 3, the '276 patent discloses a portable cassette player that includes slots to receive memory cards 8, such that a user can selectively play either the cassette tape via the cassette playing unit or at least one memory card via the memory card playing unit. However, Applicants respectfully submit that the '276 patent fails to disclose a memory card drive body configured to be inserted into a memory card drive slot of a personal computer and to connect to an external interface of the personal computer after insertion, as recited in amended Claim 1. The '276 patent is silent regarding the portable cassette player being inserted into a memory card drive slot of a personal computer. Further, Applicants respectfully submit that the '276 patent fails to disclose a plurality of indicator LEDs corresponding to the plurality of memory card slots, as recited in amended Claim 1.

Thus, no matter how the teachings of the '236 and '276 patents are combined, the combination does not teach or suggest the memory card drive body configured to be inserted into a memory card drive slot of a personal computer and to connect to an external interface of the personal computer after insertion, and the plurality of indicator LEDs recited in amended Claim 1. Accordingly, Applicants respectfully submit that the rejection of Claim 1 (and dependent Claim 2) is rendered moot by the present amendment to Claim 1.

Amended Claim 3 is directed to a portable memory card device, comprising: (1) a portable memory card drive body configured to be inserted into a portable memory card drive slot of a personal computer and to connect to an external interface of the personal computer after insertion; (2) a memory interface configured to allow the memory card drive to send and receive digital information to and from the personal computers; (3) a plurality of memory card drive slots provided in the portable memory card drive body or in a planar array to accept a plurality of memory card drives in the same loading orientation; and (4) a memory card selector switch configured to select among the plurality memory card slots.

As discussed above, Applicants respectfully submit that the '236 patent fails to disclose the portable memory card drive body and the memory interface recited in Claim 3. Moreover, Applicants respectfully submit that the '236 patent fails to disclose a memory card selector switch configured to select among the plurality of memory card slots, as recited in amended Claim 3.

As discussed above, Applicants respectfully submit that the '276 patent fails to disclose a portable memory card drive body configured to be inserted into a portable memory card drive slot of a personal computer and to connect to an external interface of the personal computer after insertion, as recited in amended Claim 3. Further, Applicants respectfully submit that the '276 patent fails to disclose a memory card selector switch configured to select among the plurality of memory card slots, as recited in amended Claim 3.

Thus, no matter how the teachings of the '236 and '276 patents are combined, the combination does not teach or suggest the portable memory card drive body and the memory card selector switch recited in amended Claim 3. Accordingly, Applicants respectfully submit that the rejection of Claim 3 (and dependent Claims 4-6) is rendered moot by the present amendment to Claim 3.

Regarding the rejection of dependent Claims 7-9 under 35 U.S.C. § 103, Applicants respectfully submit that the '238 patent fails to remedy the deficiencies of the '236 and '276 patents, as discussed above. Accordingly, Applicants respectfully submit that the rejection of Claims 7-9 is rendered moot by the present amendment to Claim 3.

Regarding the rejection of Claim 1 under 35 U.S.C. § 103 as being unpatentable over the '400 and '236 patents, the Office Action asserts that the '400 patent discloses everything in Claim 1 with the exception of the memory card slots provided in the memory card body oriented in a planar array, and relies on the '236 patent to remedy that deficiency.

The '400 patent is directed to a portable card configured to be plugged into a reader of a personal computer, wherein the portable card includes a mobile rack that fits into a cavity of the card and is configured to receive a chip or memory card. However, Applicants respectfully submit that the '400 patent fails to disclose a plurality of memory card slots, as recited in amended Claim 1. Moreover, Applicants respectfully submit that the '400 patent fails to disclose a plurality of inductor LEDs corresponding to the plurality of memory card slots, as recited in amended Claim 1.

The '236 patent is a design patent directed to the design of a memory card reader. However, Applicants respectfully submit that the '236 patent fails to disclose the memory card drive body, the memory interface, and the plurality of inductor LEDs corresponding to the plurality of memory card slots, as recited in amended Claim 1.

Thus, no matter how the teachings of the '400 and '236 patents are combined, the combination does not teach or suggest the plurality of indicator LEDs corresponding to the plurality of memory card slots recited in amended Claim 1. Accordingly, Applicants respectfully submit that the rejection of Claim 1 (and dependent Claim 2) is rendered moot by the present amendment to Claim 1.

Applicants respectfully submit that no matter how the teachings of the '236 and '400 patents are combined, the combination does not teach or suggest a memory card selector switch configured to select among a plurality of memory card slots, as recited in amended Claim 3. The '400 patent discloses a single memory card slot. Further, the '236 patent is a design patent that does not describe any functionality. Accordingly, Applicants respectfully submit that the rejection of Claim 3 (and dependent Claim 5) is rendered moot by the present amendment to Claim 3.

Thus, it is respectfully submitted that independent Claims 1 and 3 (and all associated dependent claims) patentably define over any proper combination of the '236, '276, '328, and '400 patents.

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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